



MINUTES

City Council Regular Meeting
December 15, 2020 - 7:00 PM

CALL TO ORDER

Mayor Rudy called the meeting to order at 7:06 p.m.

PLEDGE

ROLL CALL

Mayor:	Brian Rudy
Mayor Pro-Tem:	Mark Clark
Council:	Laura Speer
	Alicia Johnson
	Fred Neal
	Amanda Castle
	Tammy Mortenson

AUDIENCE PARTICIPATION

There was no audience participation.

APPROVAL OF AGENDA

Staff recommended to amend the agenda to defer the Executive Session until after the Evans Redevelopment Agency Regular Meeting.

Mayor Pro-Tem Clark made the motion, seconded by Council Member Johnson to approve the agenda as amended. The motion passed with all voting in favor thereof.

CONSENT AGENDA

1. Approval of the December 1, 2020 City Council Meeting Minutes
2. Consideration of Ordinance Number 736-20 Concurrently Annexing and Zoning Certain Real Property located at 4333 West Service Road and 1280 Brantner Road owned by Kyle McConnell and Brian Spaeth and accepting the Annexation Agreement—2nd Reading
3. Consideration of Ordinance Number 733-20 to Repeal and Replace Sections 18.06.060, 18.06.070, 18.06.080 and 18.06.090 of the Land Development Code—2nd Reading

4. Consideration of Ordinance Number 741-20 Amending the 2020 Budget – 2nd Reading
5. Consideration of Ordinance Number 740-20 An Ordinance Amending Chapter 3.20 Regarding Impact Fees to Incorporate the Terms of the Intergovernmental Agreement Between the City of Evans and the Weld County School District 6 – 2nd Reading

Mayor Pro-Tern Clark made the motion, seconded by Council Member Neal to approve the consent agenda as presented. The motion passed with all voting in favor thereof.

NEW BUSINESS

6. Continuance of Public Hearing: Consideration of Ordinance Number 719-20, Amending the Land Use Code, Section 18.06.070 to Include Standards for Small Cell Wireless Facilities and to Clarify Sections of the Telecommunications Guidelines - Continuance

Mayor Rudy reopened the public hearing at 7:08 p.m.

Mr. Becklenberg reviewed the item as depicted in the agenda packet. Approximately a month ago, Council took action to continue the public hearing, since staff heard that some telecommunications carriers were interested in commenting on the proposed regulations. Staff received feedback and comments late last week from one of the larger carriers. Staff is requesting additional time to review the comments and collaborate to incorporate the comments if possible. Therefore, staff is requesting to continue the public hearing to January 19, 2021.

There were no members of the audience wishing to speak in favor of the proposed.

There were no members of the audience wishing to speak in opposition of the proposed.

Council Member Speer made the motion, seconded by Council Member Mortenson to continue the public hearing for Ordinance 719-20 to January 19, 2021. The motion passed with all voting in favor thereof.

7. Consideration of Resolution Number 44-2020 Approving the Final Draft of the Municipal Water Efficiency Plan

Mr. Becklenberg reviewed the item as depicted in the agenda packet. This item was before Council on October 5, 2020 with a full presentation for consideration. State law requires a sixty day notice and public comment period prior to adoption. The City has not received comments. Mr. Becklenberg then turned the meeting over to Randy Ready, Assistant City Manager.

Randy Ready explained that the City published notice in the newspaper, created a website page that included the complete plan and posted on the City's social media accounts that the plan was available for public comment. No comments were received from the public. The plan is now being presented to Council for approval by Resolution. Upon approval, the plan will be forwarded to the Colorado Water Conservation Board for their approval, which will take place in early January. After their approval, the City can implement the plan that include efficiency measures. The plan has a list of approximately thirty four measures that are fit for Evans. Early

next year staff will be presenting to Council at a work session a list of recommendations to be enacted in the first quarter before the summer irrigation season begins. Staff, with Council's concurrence, wants to have a solid water conservation plan going into the summer season that makes sense and fits Evans. Other measures, such as a water re-use system, will take time and funds to develop. Other items are education based and some require entry into residents homes to retrofit older, non-efficient fixtures. The CDBG Grant heard during work session will address those. Staff will develop very targeted approaches to implement the plan.

Mayor Pro Tem Clark is in favor of the Resolution. Anyway, the City can educate its residents and improve its infrastructure to conserve water is something he is all in favor of.

Council Member Johnson agrees and believes that water conservation is important for both the City and its residents and she is in favor as well.

Council Member Castle made the motion, seconded by Council Member Johnson to approve Resolution 44-2020 thereby accepting the final Municipal Water Efficiency Plan Update. The motion passed with all voting in favor thereof.

8. Consideration of Master Services Agreement for On-Call Real Estate Appraisal Services

Mr. Becklenberg reviewed the item as depicted in the agenda packet. The City has a lot of projects in the works in the next couple years. Staff has found it would be helpful to have on-call property appraisal services, so the City would not have to go through separate RFP processes each time the City needs an appraiser. A Request for Qualifications process has been completed and staff has selected a company based on their qualifications. He then turned the meeting over to Mark Oberschmidt, City Engineer.

Mark Oberschmidt explained that the City would like an on-call appraiser for when the City needs to acquire property such as right-of-ways, easements and temporary construction easements. Currently, it takes time and effort to go out for bid for each. Approval of the contract would allow him to just call the appraiser, which would save approximately two to three weeks of time and would keep the projects moving. The City will limit the projects to a certain amount of money each year. The current procurement policy sets that amount at \$50,000. Anything above that amount needs Council's approval. Four proposals were received from local appraisers, which were reviewed accordingly. The selected company conducted the appraisal for the 47th Avenue project. He is easy to work with and organized as well as very responsive. Staff is recommending Smith Valuation for these services. It is a renewable contract. There will be eleven individual properties that will need to be appraised along 37th Avenue, between 35th and 47th Avenues.

Mr. Becklenberg added that this contract is for \$75,000.

Council Member Mortenson made the motion, seconded by Council Member Johnson to award the Master Services Agreement for On-Call Professional Appraisal Services to Smith Valuation in a not to exceed amount of \$75,000 for 2021 and to authorize the Mayor to sign the Master Services Agreement. The motion passed with all voting in favor thereof.

REPORTS

9. City Manager

Mr. Becklenberg asked Mark Oberschmidt, City Engineer, to provide an update to Council concerning on-going road projects. He also reviewed the most recent sales tax update with Council. In addition, a video was presented to Council that was prepared by Lance Snow, Communications and Community Engagement Manager, to promote the new Ziggy's Coffee shop that is being constructed on 37th Avenue.

10. City Attorney

Scott Krob, City Attorney, advised Council that the NISP sale has been completed, the Eastwood Village lawsuit had been dismissed with prejudice and that City Clerk, Julie Kamka, will be added to the City's safe deposit box account. He asked Council to make a motion to authorize the City Clerk to have access to the City's safe deposit box.

Mayor Pro Temp made the motion, seconded by Council Member Neal to authorize the City Clerk to have access to the City's safe deposit box. The motion passed with all voting in favor thereof.

AUDIENCE PARTICIPATION (general comments)

There was no audience participation.

Mayor Rudy recessed the meeting at 7:30 p.m. to move into the Evans Redevelopment Agency meeting.

Mayor Rudy resumed the meeting at 8:02 p.m.

EXECUTIVE SESSION

11. To Discuss the Performance Evaluation of the City Manager, pursuant to C.R.S. Section 24-6-402(4)(f)

Mayor Pro-Tem Clark made the motion, seconded by Council Member Johnson to adjourn into executive session at 8:02 p.m. to discuss the performance evaluation of the City Manager, pursuant to C.R.S. Section 24-6-402(4)(f). The motion passed with all voting in favor thereof.

The meeting reconvened at 9:11 p.m.

Mr. Krob noted for the record that the executive session that Council concluded was within the scope of the statute and that he was present for the duration of the discussion, so the discussion is subject to the attorney client privilege.

ADJOURNMENT

The meeting was adjourned at 9:12 p.m.


City Clerk



CITY OF EVANS – MISSION STATEMENT

"To deliver sustainable, citizen-driven services for the health, safety, and welfare of the community."

It is the policy of the City of Evans that all programs and activities shall be accessible to, and usable by, persons with disabilities. Persons needing assistance shall contact the Safety & Risk Management Manager at the City of Evans. Please provide three to five business day's advance notice so we can adequately meet your needs.